

PUBLIC PERFORMANCE SITE LICENSE

You can legally show copyrighted entertainment movies in your K-12 school, without risking copyright infringement, if you have a Public Performance Site License from Movie Licensing USA.

Benefits of Movies

A Public Performance Site License saves you time and money - since you don't have to contact each studio directly - and assures copyright compliance when showing movies in your school. In addition to your personal comfort, reputation and protection from the hazards of non-compliance with U.S. Copyright Law, movies provide assistance to your school staff for many non-teaching activities:

- Family Movie Nights
- Before/After School Programs
- Staffing Emergencies/Substitute Teachers
- Last Days of School
- Student Rewards for Academics, Attendance and Good Behavior
- Lunch Hour Control
- Rainy/Snow Days
- Indoor Recess
- Children's Entertainment during parent group meetings
- Safe Prom/Graduation
- Holiday Events
- Scout and Club Meetings
- Lock-Ins/Dances
- Assemblies
- Idle Periods during State Testing
- Summer Camps
- Film & Foreign Language Clubs
- Student Council Activities

And more!

A Public Performance Site License through Movie Licensing USA will also prevent your school from being cited for copyright infringement when other organizations use your facilities. Many schools are not aware that they are held liable for actions made by an outside organization on their school property (i.e. Before/After School Programs, Summer Camps, Parent Groups, etc.) This license provides peace of mind that your school is following U.S. Copyright Law.

"It's like having an insurance policy for the schools in your district!"

- New Hampshire School District

Authorized Movie Studios*

Only Movie Licensing USA is able to offer you a public performance site license for all of these Hollywood studios. No other licensing source can provide this exclusive, comprehensive coverage.

Walt Disney Pictures, Paramount Pictures, Warner Bros., Sony Pictures, NBC/Universal Pictures, DreamWorks Pictures, New Line Cinema, Lionsgate Films, MGM, Touchstone Pictures, Hollywood Pictures, Columbia Pictures, TriStar Pictures, Focus Features, Miramax Films, Warner Independent Pictures, Paramount Classics, Paramount Vantage, Fine Line Features, Samuel Goldwyn Films, United Artists and Picturehouse.

* Coverage for private and religious-affiliated schools varies from public schools.
Please call for details.



Types of Licenses

Annual License:

- Covers the school building 24/7 (before, during or after school)
- Unlimited movie showings by anyone in school building, regardless of whether or not they are affiliated with school
- License runs consecutively from a start date that you choose
- Movies may be obtained from any legal source (rental store, home collection, etc.)
- Cost is based on total student enrollment at school
- Discounts may be granted for multiple school or district purchases
- License will automatically renew at the end of initial agreement

Multi-year licensing available – call for details!

One-Time License:

- Covers one movie on one specific date and time
- Cost is \$75 per showing
- Movie title and show date must be provided upon ordering (printed on one-time certificate)
- Movie may be obtained from any legal source (rental store, home collection, etc.)
- \$75 fee may be applied towards cost of annual license if school upgrades within 90 days of show date (Only one license may be applied, regardless of number purchased.)
- Please submit requests two weeks prior to your show date to allow sufficient processing and delivery time

NOTE: Outdoor showings are not allowed or covered under either license.

Promotional Material

Once your school has obtained a license, you will have access to free online publicity and program support materials such as movie posters, bookmarks and activity sheets.



K-12 Movie and Copyright News

Once your school has obtained a license, you will receive via email a quarterly newsletter that contains program ideas, special articles, upcoming conferences we are attending, customer feedback and more!

© It's Not Just a Symbol... It's the Law.

The Federal Copyright Act (Title 17 of the U.S. Code), governs how copyrighted materials, such as movies, may be used. Neither the rental nor the purchase of a movie carries with it the right to show the movie publicly outside the home, unless the site where the movie is used is properly licensed for public exhibition.

Ownership of the movie and the right to use it publicly are two separate issues. The copyright holder retains exclusive public performance rights.

This legal copyright compliance requirement applies to schools, public libraries, daycare facilities, parks, recreation departments, summer camps, churches, private clubs, prisons, lodges, businesses, etc.

This legal requirement applies:

- Regardless of how the movies are obtained
- Whether or not an admission fee is charged
- Whether the facility or organization is commercial or non-profit
- Whether a federal, state or local agency is involved

“Educational Exemption”

The Educational Exemption, also called the “face-to-face teaching exemption,” is a precise activity which allows the legal use of movies in certain types of teaching. In order for a movie to be considered an “Educational Exemption,” all criteria must be met:

- A teacher or instructor is present.
- The showing takes place in a classroom setting with only the enrolled students attending.
- The movie is used as an essential part of the core, current curriculum being taught. (The instructor should be able to show how the use of the motion picture contributes to the overall required course study and syllabus.)
- The movie being used is a legitimate copy, not taped from a legitimate copy or taped from TV.

If you are uncertain about your responsibilities under copyright law, consult your school legal copyright representative.

Why is Copyright Infringement a Concern?

The concept of “Public Performance” is central to copyright and is the main issue of protection for intellectual property. If an author, computer programmer, musician or movie producer does not retain ownership of his or her “work,” there would be little incentive for them to continue and little chance of recouping the enormous investment in time, research and development, much less profits for future endeavors.

Copyright Infringers can be Prosecuted - Consult your Legal Copyright Advisor/Attorney

The Motion Picture Association of America and its member companies are dedicated to stopping film and video piracy in all its forms, including unauthorized public performances, illegal downloading, etc. The motion picture companies can go to court to ensure their copyrights are not violated.



To avoid embarrassing publicity and fines, it is important to comply with U.S. Copyright Law when using movies publicly. If you are uncertain about your responsibilities under copyright law, consult your legal copyright compliance advisor or attorney.



Copyright Resources

[Motion Picture Association of America \(MPAA\)](#)

The MPAA is an anti-piracy organization that is dedicated to assisting local governments and law enforcement authorities in the investigation and prosecution of piracy cases. The MPAA and its member companies are dedicated to stopping film and video piracy in all its forms, including unauthorized public performances.

Website: www.mpa.org/Public_Performance.asp

[Copyright for Schools: A Practical Guide](#)

By Carol Mann Simpson, 4th edition. (Linworth Publishing, c2005).

[Commonsense Copyright: A Guide For Educators & Librarians](#)

By Rosemary Talab, 2nd edition. (McFarland & Co. Publishing, c1999).

[Copyright: A Guide to Information and Resources, 3rd Edition](#)

By Gary H. Becker, 3rd edition. (c2003). For further information: Toll-Free Phone: 888-333-2037, Email: gbecker@earthlink.net

Frequently Asked Questions

Movie Copyright Compliance in Non-Teaching Activities in K-12 Schools

What constitutes “public performance” of an entertainment movie?

Any exhibition of an entertainment movie outside the privacy of a home setting is considered a public performance (or public exhibition).

We have been using movies for non-teaching activities for years. Why haven't we heard of this before?

Use of someone else's copyrighted materials in the U.S. has been a copyright law violation since 1970. The movie studios have had a compliance royalty procedure in place, handling details direct, studio by studio for many years. You might not have been aware of it. Currently, most of the major studios have made copyright compliance simpler and less expensive for schools by appointing Movie Licensing USA as their sole agent to assist in their copyright enforcement program.

If I borrow movies from a public library can I use them legally for entertainment in a school?

No, not if the school itself doesn't have a license. A public library cannot pass on copyright compliance to anyone, nor can anyone else except Movie Licensing USA or the studios themselves do so. If you borrow movies from a public library for student entertainment, such as After School programs in an unlicensed school, you are not only violating copyright law but you are also involving the public library in non-compliance.

I thought schools were exempt from needing a license to legally use copyrighted movies.

Under the “Educational Exemption,” copyrighted entertainment movies may be shown in a school without copyright permission only if all criteria are met:

- A teacher or instructor is present.
- The showing takes place in a classroom setting with only the enrolled students attending.
- The movie is used as an essential part of the core, current curriculum being taught. (The instructor should be able to show how the use of the motion picture contributes to the overall required course study and syllabus.)
- The movie being used is a legitimate copy, not taped from a legitimate copy or taped from TV.

For specific requirements, please reference The Copyright Act of 1976, Public Law No. 94-553, 90 stat 2541: Title 17; Section 110(i), or consult your copyright attorney.

What if a video store says it is okay to publicly exhibit rented or purchased entertainment movies?

This is not true. Video stores cannot provide legal permission for use outside the home. These videos, like the movies you own, are for "home use only" and must be licensed for public performance.

What is a "Blanket License"? Is this the same thing as a public performance license?

Yes, sometimes referred to as a "blanket license", our Public Performance Site License gives your school the right to show copyrighted movies legally.

What if an outside organization such as an After School Program or Summer Camp wants to show an entertainment movie in our facility?

This is only legally permitted if the school itself has a Public Performance Site License from Movie Licensing USA. Schools without such a license will be held liable if an outside organization involves them in copyright infringement by permitting movies to be used in their facility.

We are buying entertainment movies from a catalog which says their movies are licensed to show in a school, public library, etc. Is this accurate?

Absolutely not. No vendor selling entertainment movies has legal permission to grant you these rights. Videos with public performance rights are often documentaries produced by independent distributors, and are separate from this license.

Where can I acquire entertainment movies after we receive our license?

Once licensed, you can exhibit any movies copyrighted by the studios we represent as long as they are secured from a legal source such as a video rental store, your school library or your personal collection.

Are there limitations to this Public Performance Site License?

Yes. This license is for K-12 Schools only. This license does not permit entertainment movies to be used when an admission fee is charged, other than to cover costs. Outdoor showings are not allowed or covered under our licensing agreements. In addition, the movies may not be altered, duplicated, digitized or transmitted electronically in any form without specific permission from the copyright owner.

Are there advertising restrictions?

You may use the promotional material found on our website to advertise in your school or to pass out directly to students and staff. If you choose to advertise through the public media (such as public radio, television, or a website), you may do so, as long as the movie title and studio name are not used. For example, "Join us at ABC Elementary for a Family Movie Night at 7:00pm" is permitted.

How will the renewal of my license be handled?

Your Public Performance Site License will automatically renew at the end of your initial agreement. About a month prior to expiration, the renewal packet will be mailed. As long as payment is made promptly, your school will remain in compliance without interruption. You may, however, request cancellation anytime after the initial agreement. Requests need to be made by calling 1-877-321-1300 or emailing mail@movlic.com.

What are the One-Time License Copyright Restrictions?

The One-Time license is a limited license to exhibit only the agreed upon movie title and date in your school. This license does not cover outdoor showings. Please note that change of date or movie title may result in a \$25.00 service fee. Violation of this agreement is subject to the penalties set forth in the Federal Copyright Act.

What if I have an unforeseen circumstance after ordering a One-Time License?

In the event of inclement weather, electrical problems, or other malfunctions, you may reschedule your show date. However, Movie Licensing USA must be informed by phone or email prior to the scheduled show date in order to avoid a \$25.00 service fee.

How can I raise money to help fund the license?

Book fair, fall festival, silent auction, bake sale, etc.

Movie Licensing USA Company History and Profile

Movie Licensing USA is a corporate division of Swank Motion Pictures, Inc. We provide the Public Performance Site License to K-12 schools and public libraries which satisfies the copyright protection needed when entertainment movies are shown in the buildings. Swank Motion Pictures, Inc. has long standing, exclusive licensing agreements to this and other non-theatrical markets with most of the major Hollywood movie producers.

Founded in 1937, Swank Motion Pictures, Inc. is a successful, growing business privately owned by the Swank family. Headquartered in St. Louis, Swank also maintains sales offices in New York and Paris, with an international shipping and distribution facility located near Chicago. Swank is the world's largest non-theatrical distributor of motion pictures for public performance and the acknowledged leader in the field.

Major Hollywood and independent movie studios have appointed Swank as their exclusive licensing and distribution partner to offer their box-office hits for public performance in non-theatrical markets (markets outside theaters). Swank represents **Walt Disney Pictures, Paramount Pictures, Warner Bros., Sony Pictures, Universal Pictures, DreamWorks Pictures, New Line Cinema, Lionsgate, MGM, Touchstone Pictures, Hollywood Pictures, Columbia Pictures, Tri Star Pictures, The Weinstein Company, Focus Features, Miramax Films, Overture Films, Warner Independent, Paramount Classics, Paramount Vantage, Fine Line Features, HBO, Hallmark Hall Of Fame Productions, United Artists, National Geographic, ThinkFilm, Magnolia Pictures, Newmarket Films, First Look Studios, First Independent Pictures, Monterey Media** and many other independent studios.

Swank Motion Pictures provides both public performance licensing rights and licensed movies to numerous non-theatrical markets, including worldwide cruise lines, U.S. colleges and universities, K-12 public schools and libraries, American civilian and military hospitals, motor coaches, Amtrak trains, correctional facilities and other markets such as parks, art museums and businesses. Divisions of Swank can be found at www.swank.com

Price Schedule for Annual License – Effective February 26, 2009

(Price each school building separately. Discounts may be granted for districts/multiple schools. Call for details.)

Total Student Enrollment	1 Year Fee	2 Year Fee
1 to 150	\$300	\$540
151 to 300	\$350	\$630
301 to 500	\$375	\$675
501 to 1000	\$400	\$720
1001 to 1500	\$425	\$765
1501 to 2000	\$450	\$810
2001 to 2500	\$475	\$855
2501 to 3000	\$500	\$900
3001 to 3500	\$525	\$945
3501 and above	\$550	\$990

Please call about pricing beyond 2 years for additional savings!

Contact Us

For more information, to obtain pricing for districts/multiple schools, or to proceed with a Public Performance Site License for your school or district, please contact us:

Movie Licensing USA®

A Division of Swank Motion Pictures, Inc. • Tim Swank, Chairman

Your Legal Source for Motion Picture Entertainment

St. Louis Office

10795 Watson Road
St. Louis, Missouri 63127
Toll-free: 1-877-321-1300
Toll-free fax: 1-877-876-9873

New York Office

(For schools in CT, DC, DE, MA, ME, NH, NJ, NY, PA, RI, VT)
350 Vanderbilt Motor Parkway, Suite 108-C
Hauppauge, New York 11788-5122
Toll-free: 1-877-321-1301
Fax: 1-631-434-4730

Email: mail@movlic.com

(Please provide your name, title, school name, district and state)

Website: www.movlic.com